VII

The Effect of the War of 1812

UPON THE

Consolidation of the Union

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VII

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CONSOLIDATION OF THE UNION

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THE EFFECT OF THE WAR OF 1812

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CONSOLIDATION OF THE UNION.

The two great motive forces in American politics during the first century of the national existence were the questions of state sovereignty and of slavery. The pressure of the first was almost wholly, yet but temporarily, relieved by the second war with Great Britain, and it was reserved for the great civil war of 1861–5 to put an effectual quietus upon both.

The course of the conflict over these questions shows that until the war of 1812 that of state sovereignty, pure and simple, occupied the foremost place in the nation's political activity. From the conclusion of that war period until 1861 the question of slavery, with all its far-reaching collateral issues, asserted its preëminence, and in its disastrous overthrow and complete downfall carried the state sovereignty heresy with it to a common ruin.

The concrete question with which we are to deal at present is the effect of the war of 1812 on the consolidation of the Union. To understand this intelligently we must acquaint ourselves with the positions taken in reference to the state-sovereignty dispute down to the time when war was declared, and with the condition of the Union at that time in respect to real unity. We must examine the political character and motives of the war itself, and discover the status of the

national unity in the years immediately succeeding the war. When all this is done we shall be entitled to pronounce upon the effect of the war of 1812 on the consolidation of the Union.

It is probable that in the light of historical fact, and the full discussion which the question has since received, culminating in the irrevocable verdict of a terrible civil war, no one will care to deny that the Declaration of Independence of July 4th, 1776, was the act of an ethnographically and geographically unified nation, and not the separate though synchronous deed of thirteen constituent parts of that nation. Moreover, the authority of the Continental Congress as a revolutionary body cannot be questioned. It was this Congress that drew up and adopted the Articles of Confederation of 1781. But even at the time of the original adoption of these Articles by Congress, November 14th, 1777, the enthusiasm of 1776 was abated; the national ardor had cooled and had been superseded by more particularistic and selfish feelings. Thus the infant nation of 1776, even before it had risen from its cradle, seemed sickening to its death.

"The preponderance of the anti-national tendencies during the early life of the Union undoubtedly had its origin in the political and social development of the states, in their want of political connection before the Revolution, in the little intercourse, commercial and other, between them, and lastly in various differences in their natural situation which rendered a rapid intergrowth of the several States impossible and the collisions attendant thereon unavoidable."[1]

When the time came to form a national government it was but natural that two opposing views should be taken as to the extent of the powers to be conferred upon that government.

To begin with, the very nature of the question provoked, if it did not require, the formation of two opposing parties;

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[1] Von Holst, The Constitutional and Political History of the United States, Chicago, 1877, Vol. I. pp. 106, 107.

then, the selfish feelings of a particular state or states, loth to give up natural advantages to the common weal, would oppose a strong central government, and in any such movement as the American Revolution, an ultra-democratic party, large or small as the case may be, is sure to develop. But in this case fact proved more powerful than theory. The stern necessities of the case and the ably-defended opinions of Hamilton, Madison, and their coadjutors, in spite of the technical provisions of the Articles of Confederation, carried through the proposition for the Philadelphia Convention of 1787, and in it sounder political science prevailed. As a result our present Constitution was promulgated.

The great Constitutional Party, as we may appropriately describe the Federalists, immediately after the organization of the government under the instrument of 1787, put forth by word and deed a theory of government deduced from their interpretation of the Constitution, which in reality they had framed. The occasion of the crystallization of the elements of this party into an unified whole was the struggle for the adoption and adjustment of the system of 1787. Their theory was, in brief, that the government was based on a national popular sovereignty, that the central government should be independent in all its machinery of the local governments, exercising all general powers and interpreting by its own constituted agents what was local and what was general, under such limitations as were put upon it in the Constitution itself by the national popular sovereignty. But in the struggle this party was obliged to give up, if indeed it ever distinctly held, a wholly national doctrine and ground itself for the purpose of victory on a federal system, midway between confederation and nationalism, though strongly leaning toward the latter. This federal system, though still holding to the sovereignty of the people of the United States as ultimate, yet admitted that a system of local commonwealth governments was fundamental in our political system. In other words, it allowed that the Union was one of states, but not of state governments.

The original opponents of this doctrine cannot be dignified with the name party. Their nucleus was a few extremists of the Rousseau stamp, who believed or pretended to believe that the state of nature was the only perfect state and that all society had originated in a social compact; that government, which is in its very nature tyrannical and oppressive, had grown up from an exaggeration of powers originally relinquished by the individual in the compact. Around such men and opinions as these the opposition to Federalism began to collect. It acquired strength and definiteness by the debates on the Funding[1] and Assumption[2] bills, the Slavery Petition[3] debate of 1790, the Excise Tax,[4] the National Bank bill,[5] and from the complications in foreign affairs in which the administration became involved. In addition "the French Revolution introduced from abroad an element which, independent of the actual condition of affairs and partly in conflict with it, kept excitement at the boiling point during many years.[6] The French Revolution was at first hailed with delight by all parties in the United States; when, however, after the death of Mirabeau, the impossibility of control and the mistakes of the helpless court transferred the preponderance of power to the radicals and when the anarchical elements daily grew bolder, the Federalists began to turn away. The anti-

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[1] Von Holst, I. 85, 86. Hildreth, History of the United States of America. New York, Harper and Brothers, 1851, Vol. IV. 152–171, 213–220. This and most of the following references to Hildreth are given to show where fuller information on the subjects referred to may be found.

[2] Hildreth, IV. 171–174, 213–220.

[3] Von Holst, I. 89–93; Hildreth, IV. 174–204. In this debate the threat of civil war was uttered on the floor of the House of Representatives for perhaps the first time. The speaker was Tucker of South Carolina, and his words were: "Do these men expect a general emancipation by law? This would never be submitted to by the Southern States without a civil war." See Benton, Abridgment of the Debates of Congress, I. 208.

[4] Von Holst, I. 94, 95; Hildreth, IV. 253–256.

[5] Von Holst, I. 104–106; Hildreth, IV. 256–267.

[6] Hildreth, IV. 411–413.

Federalists on the other hand clung more dearly to it than ever. The farther France proceeded, by the adoption of brutal measures, in the direction of political idealism, the more rank was the growth in the United States of the most radical doctrinarianism; the more attentively the legislators of France listened to Danton's voice of thunder and Marat's fierce cry for blood, the more boldly did demagogism in its most repulsive form rage in the United States."[1]

Many of the objections to the Federalist measures were closely bordering on the ridiculous, while but a few were defensible. "But no reasoning was too absurd to find credulous hearers when the rights of the States were alleged to be in danger and the services of the phantom 'consolidation' were required. The politicians would not, however, in a matter of such importance have dared to wage so strong a war of opposition and they could not have carried it on for ten years and have finally conquered, if they had not had as a broad and firm foundation to build upon, the anti-nationalistic tendencies which prevailed among the people."[2]

The word anti-nationalistic is used advisedly; for by it is meant that among the people there was a strong feeling that any dissatisfied state or number of states might secede or withdraw at pleasure from the Union. Nor was this idea by any means confined to the anti-Federalists or to that section of the country in which their strength mainly lay. It is also a mistake to suppose that these feelings never found vent in words until the great slavery contest, many years later. In point of fact, as early as 1793, when peace with England was endangered by Genet's machinations and their consequences,[3] there were those in the New England States who in no covert language urged that a dissolution of the Union was preferable to war with Great Britain. Here are the words of Th. Dwight,

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[1] Von Holst, I. 107.
[2] Von Holst, I. 106.
[3] Von Holst, I. 112–118; Hildreth, IV. 412–440, 477, 478.

writing at this time to Wolcott: "A war with Great Britain, we, at least in New England, will not enter into. Sooner would ninety-nine out of one hundred of our inhabitants separate from the Union than plunge themselves into an abyss of misery."[1] Hence it is evident that the geographical grouping of the friends and enemies of the Jay treaty[2] did not escape them in spite of appearances which were at first deceptive. Going beyond the limits of the question immediately under consideration they pointed to a division of the republic into two great sections and declared an understanding between them to be a condition precedent to the continuation of the Union. Wolcott writes to his father the following, August 10th, 1795: "I am, however, almost discouraged with respect to the southern states; the effect of the slave system has been such that I fear our government will never operate with efficacy. . . . . Indeed we must of necessity soon come to a sober explanation with the people and know upon what we are to depend."[3]

It was reserved for the Alien and Sedition laws of 1798[4] to call forth from the opposition their first definite declaration of political principles. This is contained in the Kentucky and Virginia Resolutions and in the supplements thereto passed on receipt of the replies from other State Legislatures. But we find another instance of definite talk concerning disruption before these resolutions were passed. In May of 1798, the idea of separation arose in the South as a means of escape from the supremacy of Massachusetts and Connecticut, which had to the Southern States become unbearable. John Taylor of Virginia, by no means an unimportant man, said "it was not unwise now to estimate the separate mass of Virginia and North Carolina with a view to their separate existence."[5] Jefferson wrote him in relation to this matter, June 1st, 1798,

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[1] Gibbs, Mem. of Walcott, I. 107. Quoted by Von Holst.
[2] Von Holst, I. 122–128; Hildreth, IV. 488, 539–556, 590–616.
[3] Gibbs, Mem. of Walcott, I. 224.
[4] Von Holst, I. 142; Hildreth, V. 216, 225–228.
[5] Von Holst, I. 143.

that it would not be wise to proceed immediately to a disruption of the Union when party passion was at such a height.[1]

The Kentucky Resolutions[2] of November 10th, 1798, and November 14th, 1799, really sounded the keynote of the Federalists' opponents, who had now come to be called Republicans. In brief their position was that the Constitution was a compact to which the states were integral parties, and that each party had an equal right to judge for itself as well of infractions of that compact as of the mode and measures of redress; and that the rightful remedy against the oppression of the central government or the exercise by it of any ungranted powers, was the nullification of any obnoxious act by the state or states objecting thereto. This was distinct and exact as far as it went, but it left to Calhoun and a greater crisis the logical pursuance of the doctrines to their farthest conclusions.

If the claim to the right of nullification as set forth in 1799 was well-grounded, the Constitution was indeed different from the Articles of Confederation in particulars, but the political character of the Union was essentially unchanged, and it was now as before, a confederation of the loosest structure. On this very point the comment has been well made: "to the extent that practice was in accord with theory a mere mechanical motion would have taken the place of organic life. Sooner or later even that would have ceased, for the state is an organism, not a machine."[3]

Washington now, December 25th, 1798, in writing to Lafayette, declared that "the Constitution, according to their [the anti-Federalists'] interpretation of it, would be a mere cipher."[4] Three weeks later he wrote to Patrick Henry:

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[1] Jefferson, Works, IV. 245–248.
[2] Von Holst, I. 144–155; Hildreth, V. 272–277, 296, 319–321.
[3] Von Holst, I. 151, 152.
[4] Washington, Works, XI. 378.

"Measures are systematically and pertinaciously pursued which must eventually dissolve the Union or produce coercion."[1]

Very shortly afterward the ultimate consequences of the Kentucky interpretation of the Constitution were boldly drawn.[2] Tucker, whose edition of Blackstone appeared in 1803, writes: "The Federal government, then, appears to be the organ through which the united republics communicate with foreign nations and with each other. Their submission to its operation is voluntary; its councils, its engagements, its authority are theirs, modified and united. Its sovereignty is an emanation from theirs, not a flame in which they have been consumed, nor a vortex in which they have been swallowed up. Each is still a perfect state, still sovereign, still independent and still capable, should the occasion require, to resume the exercise of its functions in the most unlimited extent."[3] Surely there is little here that marks any degree of consolidation. This makes the Constitution but a bond of straw and the nation to be no nation; nothing but a mere conglomeration of independent commonwealths. And when we recollect that this view was that of a large majority of the people at that time, and then read anew the Constitution and its exposition as given by its framers, we must agree with John Quincy Adams in saying that "the Constitution itself had been extorted from the grinding necessity of a reluctant nation."[4]

The hold of the Federalists, which had gradually been growing weaker, was effectually loosened once and forever by the presidential election of 1800. Up to that time that party

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[1] Washington, Works, XI. 389.

[2] Von Holst, I. 151, note.

[3] Tucker's Blackstone, Philadelphia, 1803, I., Part 1, Appendix, p. 187.

[4] The Jubilee of the Constitution, a discourse delivered at the request of the New York Historical Society on Tuesday, the 30th of April, 1839, being the fiftieth anniversary of the inauguration of George Washington as President of the United States, New York, 1839, p. 55.

had controlled the executive, the judiciary, and the Senate, although the House of Representatives had on several occasions contained an opposition majority. The accession of Jefferson to power was the death-knell of the Federalist party, and from 1800 until their final dissolution they were an ineffective and vacillating minority.

The downfall of the Federalist party explains in a great measure the security which the continuance of the Union enjoyed during the two following decades.[1] The party which represented particularistic and nullifying tendencies was in power and had an overwhelming majority, both legislative and popular, behind it. But although the possibility of a disruption was thus very small, yet the essence of the internal struggle remained the same. Indeed its character was placed in a clearer light by the facts that the parts played by each party were changed, so far as the question of right was concerned, and that the opposition, in spite of its weakness, was not satisfied with wishes and threats of separation, but began in earnest to devise plans of dissolution.

These mutterings were first heard in connection with the purchase of Louisiana in 1803.[2] The New England states especially opposed its consummation as affording to the southern states a source of power with which to become predominant in the Union for all future time; and they feared that the incorporation of the western territory into the Union and its economic development would prove injurious to their own commerce.

These two elements together had weight enough to draw from them the declaration that they would be forced to a separation from the Union. Plumer of New Hampshire declared in the Senate: "Admit this western world into the Union, and you destroy at once the weight and importance of the eastern states, and compel them to establish a separate

[1] Hildreth, V. 414–418.

[2] Von Holst, I. 183–187; Hildreth, V. 478–481.

independent empire."[1] And also Griswold of Connecticut, the acknowledged leader of the Federalists, declared in the House, October 25th, 1803: "The vast unmanageable extent which the accession of Louisiana will give to the United States, the consequent dispersion of our population, and the distribution of the balance which it is so important to maintain between the eastern and the western states, threatens at no very distant day, the subversion of our Union."[2] And although chronologically out of place, it will not be amiss to recall the speech of Josiah Quincy, delivered in the House of Representatives, January 14th, 1811, on the bill "To enable the People of the Territory of Orleans to form a Constitution and state Government, and for the admission of such state into the Union."[3] Mr. Quincy did not hold that a state had either a constitutional or a natural right to withdraw from the Union when it thought such a course best for its own interests; but he did maintain that such a violation of the fundamental compact might be made that the moral obligation to maintain it ceased and the right of revolution attached. His words are: "—I am compelled to declare it as my deliberate opinion that, if this bill passes, the bonds of this Union are virtually dissolved; that the states which compose it are free from their moral obligations: and that as it will be the right of all, so it will be the duty of some, to prepare definitely for a separation amicably, if they can; violently, if they must. . . . Suppose, in private life, thirteen form a partnership and ten of them undertake to admit a new partner without the concurrence of the other three, would it not be at their option to abandon the partnership after so palpable infringement of their rights? How much more in political partnership, where the admission of new associates, without previous authority, is so pregnant with obvious dangers and evils. . . . This bill,

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[1] Von Holst, I. 187, note.
[2] Von Holst, I. 187, note.
[3] Hildreth, VI. 266.

if it passes, is a death-blow to the Constitution. It may afterwards linger; but lingering, its fate will, at no very distant period be consummated."[1]

Recollecting the date at which this speech was delivered, it will be noticed that it is of very great importance in connection with our subject, as showing that just previous to the outbreak of the war with Great Britain, such opinions, marking no real consolidation in the Union, were openly expressed on the floor of the National Legislature.

The statement not infrequently made, that at the time of the Louisiana purchase there were no serious thoughts of a disruption of the Union is untrue. In the letters of the Federalists we find not only that wishes to that end were expressed, but that formal plans were devised. It is admitted that they had no prospect of success; yet the fact that they were so seriously discussed is another link in the chain of cumulative evidence to prove that the Union, so-called, was really no Union at all.[2]

Later, in 1806, when it seemed as if the north and the south had begun to close the breach between them, came the embargo question to tear open the old sores and create new ones.[3] And in this case, at least, the opposition acted not from sentiment alone, for the embargo touched the pockets of a great part of the country. "The planters' staple articles, principally tobacco and cotton, remained unsold, but the planters themselves suffered relatively but little damage. Their products would keep and they were sure of finding a market again as soon as the harbors were open. The farmers sold a considerable portion of their products in the country itself, but the rest was a total loss. The productive industry of the New England fishermen,

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[1] An abstract of this celebrated speech and an account of the circumstances attending its delivery will be found in the "Life of Josiah Quincy," by his son, Edmund Quincy, Boston, 1867. Pp. 205–218.

[2] Von Holst, I. 193–199.

[3] Von Holst, I. 201–217.

ship-builders, ship-owners, importers and exporters, and all who were dependent on them, ceased almost entirely."[1]

"In this dispute also it is impossible not to recognize a division of parties arising from diverse interests produced by geographical position, and every struggle in which this played any part became in consequence doubly bitter. The South, which held the balance of power in the reigning party and so was primarily responsible for the embargo, would have least to suffer from it. The powerless minority of the New England states, the consideration of whose interests, it was pretended, dictated the measures of the administration, had greatest cause for complaint. The middle states occupied a position betokened by their name; their interests unquestionably inclined them more toward the North, but they wavered from one side to the other."[2] Nowhere here do we see any disposition to consult each other's interests as if the good of one were the advantage of the whole. No such advanced idea of the national unity then existed.

The investigation of the information bought by Madison from the British spy, Henry,[3] discloses still further the fact that at this time secession was regarded as the panacea for all real or fancied oppressions. Henry's mission confessedly was to find out and report to his chief, Sir James Craig, Governor of Canada, how far the Federalists would feel inclined to look to England for support in case of a disruption of the Union. One of the most distinguished sons of Massachusetts was of opinion that Henry would find support enough for his operations, if the Administration's policy was not changed. As early as November, 1808, John Quincy Adams expressed the fear that this might lead to civil war. Later he claimed to have unequivocal evidence to prove that there was a systematic

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[1] Von Holst, I. 209. Cf. Benton, Ab. Debates of Congress, III. 692; IV, 64.

[2] Von Holst, I. 209, 210.

[3] Von Holst, I. 221, 222; Hildreth, VI. 284-287, 390.

attempt making to dissolve the Union. In his opinion New England would have undoubtedly made sure of the assistance of Great Britain if the Administration had made civil war inevitable by an effort to overcome the resistance to the embargo by force or by extending it farther.[1]

In this hasty glance at the salient points in the history of the country from 1789 to 1811, in so far as it bears upon our subject, we find nationalization nowhere, decentralization everywhere. Secession, so far from being regarded as unconstitutional or unjustifiable under any circumstances, was the club with which every minority on any important question strove to beat the majority to terms. It mattered not what opinions as to ultimate sovereignty the parties held. Such considerations as this were lost sight of in the strifes of sectional prejudices and the clash of material interests. "Judged from an impartial standpoint, the fact that the possibility of civil war or a division of the Union were so frequently and on relatively insignificant occasions, thought of on both sides, may be fairly taken as a measure of the degree of consolidation which the Union had attained at that time. The actual condition of affairs presented so unusual a complication of positive and negative factors so peculiarly grouped, that it was no easy matter to determine their sum total."[2] It is interesting to read here the following words, uttered in 1828:[3] "It is a melancholy reflection—a subject that excites our best and inmost feelings—that projects or speculations as to a dissolution have been so frequently indulged. That leading men in Virginia looked to a dismemberment in 1798–9, when the armory was built; that Burr and his confederates had an eye to the establishment of a western government in 1805–6; that many contemplated a building up of the 'Nation of New England' from 1808 to 1815, seems to us undoubted; but

[1] Von Holst, I. 222, 223.
[2] Von Holst, I. 220, 221.
[3] See Niles' Register, XXXV. p. 210.

the lengths to which either party proceeded rest very much on conjecture or depend on opinion. . . . But whatever have been the designs of individuals, we have always believed that the vast body of the people have ever been warmly attached to the Union." In view of our discussion the last sentiment, however desirable, certainly seems unwarranted, and at the declaration of war in June of 1812 we have the spectacle of a government composed of eighteen[1] sovereign integers, each looking to its own interest alone, never consulting the general weal, and claiming the right and the duty to secede from the so-called Union whenever such a course might seem most favorable to its individual interests. What effect the war with Great Britain was to have upon the consolidation of the Union, we can now understandingly inquire.

Into a detailed account of the course of events abroad which brought about the war of 1812 we must not here enter. But we must examine the causes and character of the war in so far as they have a direct bearing upon parties and sections in the United States.

The beginning of 1808 saw the Berlin and Milan decrees of Napoleon and the Orders in Council of England all in force,[2] and Jefferson, his second term nearing its close, at the helm of state in the United States. To his Administration five courses of action were open, some one of which must be adopted as its own and worked out to its logical conclusion. This choice lay between (1) doing nothing and allowing the individual ship-owners to help themselves as best they might; or (2) attempting a further negotiation with England; or (3) suspending all commerce with the outside world; or (4) granting

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[1] In addition to the original thirteen states the following had been admitted into the Union: Vermont, March 4th, 1791; Kentucky, June 1st, 1792; Tennessee, June 1st, 1796; Ohio, November 29th, 1802; Louisiana, April 8th, 1812.

[2] Hildreth, VI. 32–35. The Berlin decree was dated November 21st, 1806, and the Milan decree, December 17th, 1807. The Orders in Council were of the date of May 16th, 1806 and November 11th, 1807, respectively.

letters of marque and reprisal to American ship-owners; or (5) declaring war upon England immediately. Of these possible lines of policy, entrance upon the fourth or fifth was precluded, for a time at least, by a wholesome fear of the British navy; the first was shut off by a feeling for the national honor; the third was the choice of the Administration; but the second had recommended itself as the most natural and as having precedents in the country's history. Indeed it had been tried, resulting in the treaty which was agreed upon in December, 1806, but to which Jefferson had refused his assent without ever submitting it to the Senate. This step having thus failed, the Administration had been free to pursue its chosen policy, and to the Tenth Congress, October 26th, 1807, the President recommended an embargo.[1] His recommendation was dutifully accepted by his party followers in Congress, and the embargo became a law before the end of the year. The Federalists upon whose New England constituencies the measure bore heaviest, opposed the measure both on economic and on constitutional grounds, and their discussion of this question presents us with what was destined to be but one of many mortifying exhibitions of the old party of the Constitution. But on the constitutional objection it was overmatched and was forced to fall back to the vantage ground of the economic argument. And this in turn was little heeded by the party in power, so long as it did not come directly home to themselves. But when it began to touch their own pockets, as it did a few months later, then human nature proved to be too strong for party sentiment.[2] So evident did this become that Nicholas, of Virginia, the Administration leader on the floor of the House of Representatives, himself introduced, January 25th, 1809, a resolution favoring the repeal of the embargo and the defence of our maritime rights against all belligerents.[3] After some haggling as to the date on which

[1] Hildreth, VI. 55, 56.
[2] Hildreth, VI. 96–106.
[3] Von Holst, I. 214; Hildreth, VI. 125–130.

the Embargo Act should expire, March 15th, 1809, was agreed upon as a compromise and the resolutions were passed. This virtually threw the United States back to the position in which it was when confronted by five possible courses of action, while two of the five,—those by further negotiation and cutting off all intercourse with the outside world—proved useless by the failure of the treaty and of the embargo. The prospect of an amicable solution of the difficulty by a further treaty was poor indeed, if we consider the spirit of the British Government and the hostility of the Republican party to everything British. In Great Britain Mr. Fox was dead and a new Administration had come into power strongly retrograde in policy and having George Canning for its soul. Great Britain was determined to recover her commerce and to take back her seamen, and the United States had no alternative but to submit or fight. The resumption of commerce and its defence, referred to in the Nicholas resolutions, must then be by war.

The Eleventh Congress at its first session voted the continuance of the non-intercourse Act with Great Britain, and then two years passed during which the latter continued the execution of her offensive orders and decrees against neutral commerce. But when the Twelfth Congress assembled in November, 1811, it was felt that some decisive action would soon be taken.[1] The leadership of the dominant party had been assumed by younger and more impetuous men; and with Clay as Speaker of the House, Calhoun standing second on the Committee on Foreign Affairs, and Crawford and Grundy acting with them, war was certain within the year.[2]

The move was quick and emphatic. On November 29th Calhoun's committee reported a resolution declaring "Forbearance has ceased to be a virtue. . . . The period has arrived when in the opinion of your committee it is the sacred

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[1] For the personal and party constitution of the Twelfth Congress, see Hildreth, VI. 259, 260.

[2] Von Holst, I. 226.

duty of Congress to call forth the resources and patriotism of the country."[1] In addition the committee recommended that the standing army be increased by 10,000 men and that the President be authorized to call 50,000 volunteers under arms. This was all acceded to without any delay by an overwhelming majority.

But such resolutions were inoperative without the coöperation of the President, and he was for peace. Fortune, however, favored the war party. A presidential election would take place in the following autumn and Madison was anxious for a second term. In this the leaders of the war faction saw their opportunity. They waited upon Madison and plainly told him that the condition *sine quâ non* of their support in the coming campaign was his acceptance of their war policy. Madison knew very well that both Monroe and Gerry were ready and willing to accept the presidential nomination on a war platform. This determined his action, and he gave in his adherence to the war party.[2]

On April 3rd he wrote to Jefferson that the action of the British government in refusing to repeal the Orders in Council had left the United States no option but to prepare for war, and that an embargo of sixty days duration had been recommended.[3] This recommendation had already been sent in on April 1st. It was acted upon by Congress, but the war party could not wait. They drove Madison on, and on June 1st he sent in his message recommending a declaration of war.[4] Two days afterward Calhoun reported on it from his committee, and the declaration was carried in the House by a vote of 79 to 49. The Senate was more deliberate, and after two weeks' delay it passed the declaration, June 17th, by a vote of 17 to 13.

An analysis of this vote is interesting as showing the sectional character of the war party and of the opposition to it.

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[1] Von Holst, I. 226–227; Hildreth, VI. 262–265.
[2] Von Holst, I. 230–232; Hildreth, VI. 289–291.
[3] Hildreth, VI, 291–294.
[4] Von Holst, I. 232, 233; Hildreth, VI. 303–306.

Louisiana, making the eighteenth state, had just been admitted, and the House contained 177 members apportioned in the ratio of one to every thirty-five thousand inhabitants. There were 36 members of the Senate, thus making a total of 213 in both houses, not including the Vice-President who was presiding in the Senate. The New York delegation of 27 was then for the first time more numerous than that of every other state. Pennsylvania was second with 23 members, and Virginia third with 22. The members from New Hampshire, most of those from Massachusetts (which then included what is now the state of Maine), those from Connecticut, Rhode Island, New Jersey and Delaware, with several from New York, some from Virginia and North Carolina, one from Pennsylvania and three from Maryland, opposed the war. The members from Vermont, some from New York, all but one from Pennsylvania, most of them from Maryland, Virginia and North Carolina, all from South Carolina, Georgia, Kentucky, Tennessee, Ohio, and Louisiana, supported it. New Hampshire, Connecticut, Rhode Island, New York, and Delaware were represented by senators who opposed the war. Massachusetts and Maryland were divided, while Vermont, Pennsylvania, Virginia, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Ohio, and Louisiana were represented by senators who supported the war. Of the large sea-board cities, Boston and New York were represented by members found in the minority. The delegations from Philadelphia, Baltimore, Charleston, and New Orleans were with the majority. The eastern states as a rule opposed the war; the western states were all for it, with the southern and middle states divided. The practical feature was that the war administration could command a majority of nearly forty votes in the House and one of four or five votes in the Senate.

Taking the reasoning portion of the community as the judge, probably the declaration of war was mostly condemned; but the instinctive patriotism of the young men of the country enthusias-

tically maintained it. Few denied that sufficient cause for the war existed, but the time and mode of its declaration were condemned. Defensive though the war appeared to be, yet it was offensive in that it was voluntarily undertaken by the United States to compel Great Britain by the invasion and conquest of her North American dependencies, to respect our maritime rights as neutrals.

A united sentiment on the part of the people, more especially those from whom men and money must principally be drawn, would have excused in a great measure the haste and lack of preparation with which the war had been declared and would soon have filled up the ranks of the army and the coffers of the treasury. But any such unanimity was entirely wanting. The policy of the old Republicans, with the exception of the small class of Francomaniacs, as well as of the Federalists, had been alike neutrality and peace. But however peaceful might have been the intentions of Jefferson and his close followers, there had always been a faction, more or less large, which was determined to bring about a war with Great Britain. This faction had served as the nucleus about which various forces and tendencies had caused the now triumphant war party to crystallize.

But that the war was a party one was too evident to be denied even by its warmest advocates. In the first place we have the important address to their constituents by thirty-four members of the minority in the House of Representatives.[1] This address held, in substance, that the United States was a nation (*sic*) composed of eighteen independent sovereignties united by a moral obligation only. It went on to say: "— above all, it appeared to the undersigned from signs not to be mistaken, that if we entered upon this war, we did it as a divided people; not only from a sense of the inadequacy of our means to success, but from moral and political objections of great weight and very general influence." These "moral and political objections" were con-

[1] Niles' Register, II. 309–315.

sidered by the authors of the address to have the greatest weight, and to their words the next presidential election gave a peculiar emphasis. The war was the live issue of the campaign and the result showed more plainly than had been done in many years before, the geographical separation of parties. All the New England states excepting Vermont, together with New York, New Jersey and Delaware cast their electoral vote solidly for De Witt Clinton. Maryland was divided, while Pennsylvania and all the southern and western states voted unanimously for Madison.[1] Aside from what such a separation as this too plainly indicates, the proof that the war was a sectional one is cumulative. Six months before the declaration was made, Macon of North Carolina, one of the most distinguished of the war party, said: "And here, sir, permit me to say that I hope this is to be no party war, but a national war. . . . Such a war, if war we shall have, can alone, in my judgment, obtain the end for which we mean to contend, without any disgrace."[2] And two years later Webster in his forcible rhetoric declared: "The truth is, sir, that party support is not the kind of support necessary to sustain the country through a long, expensive, and bloody contest; and this should have been considered before the war was declared. The cause, to be successful, must be upheld by other sentiments and higher motives. It must draw to itself the sober approbation of the great mass of the people. It must enlist, not their temporary or party feelings, but their steady patriotism and their constant zeal. Unlike the old nations of Europe, there are in this country no dregs of population fit only to supply the constant waste of war and out of which an army can be raised for hire at any time and for any purpose. Armies of any magnitude can be here nothing but the people embodied; and if the object be one for which the people will not embody there can be no armies."[3]

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[1] Noted by Von Holst, I. 236.

[2] Benton, Ab. Debates of Congress, IV. 452.

[3] Benton, Ab. Debates of Congress, V. 139.

But previously, in his celebrated Fourth of July oration at Portsmouth, in 1812,[1] Webster had taken the ground that the war was unjustifiable in political economy, but that it was now legally declared and had become the law of the land, and all citizens, including those of New England, although they saw that their personal interests had been disregarded, should pay their share of the expenses and render personal service to the full and just extent of their constitutional liability. Here the old question again arose. Who is to decide what that constitutional liability includes? And here again is seen the absurd and disgraceful position of the once-honored Federalists. All of the New England legislatures, excepting that of Vermont, as well as that of New Jersey, planted themselves upon the ground marked out for them by Webster, with the further and, in the light of the past history of the men engaged in the movement, ludicrously extreme position taken by the Supreme Court of Massachusetts and the military commander of Rhode Island. The outgrowth of this doctrine was the refusal of militia aid by New England and, a little later, the Hartford Convention.[2]

Upon the history and work of the Hartford Convention we need not dwell longer than to recall the fact that the states in sending delegates to the Convention were committing an extra-constitutional and, to say the least, highly unnational act, that their report read like a revised edition of Madison's Virginia Resolutions, that they urged specific constitutional amendments, some of which—notably those calling for the prohibition of commercial intercourse, the admission of new states, and the declaration of war by a two-thirds majority only of both houses of Congress—sound strangely like process under the old Confederation régime, 1781–7. As showing the anti-

[1] Curtis, Life of Daniel Webster, I. 105. Cf. Webster's Speech in the House of Representatives, January 14th, 1814, Benton, Ab. Debates of Congress, V. 138.

[2] Von Holst, I. 260–272; Hildreth, VI. 472, 473, 532–535, 545–553. Cf. Dwight, History of the Hartford Convention.

national tendencies prevalent at the time, the report of the Hartford Convention is of interest to us. But the almost immediate conclusion of peace put an end to any attempts to carry out its suggestions.

With the conclusion of the war came a calm, and in its quiet we are able to discern what were the effects of the conflict upon the great internal question in the United States.

Looking back from our standpoint of the present we can easily conclude that as a matter of right the war was certainly fully justified, but as an economic policy its expediency must be questioned. It had lasted two and one-half years and raised the national debt from $45,000,000 to $127,000,000, or at the rate of somewhat more than $30,000,000 a year. Yet its political effect was cheaply bought even at that price. Although not destined to be permanent, the national feeling it produced was something entirely novel, but none the less excellent.

From 1800 to 1815 the old national party, the Federalists, driven by the necessities of opposition and selfishness, gravitated over to the particularistic doctrine, but lost weight at each step, until finally, like a candle burned to its socket, they flickered faintly in the Hartford Convention and then went out forever. On the other hand, the Republicans, led by the possession of power and, it were charitable to suppose, a more enlightened intelligence, grew stronger day by day as they gave up, in practice at least, their old particularistic and strict construction theories for a more broadly national platform. That the sentiment of the people at large had correspondingly changed is shown by the next presidential election. When the votes of the election for the eighth presidential term were counted, it was found that only 34 out of 217 had been cast for Federalist candidates. Even Rhode Island now severed her connection with her old friends, Massachusetts and Connecticut, although Delaware now joined them. How demoralized the Federalist party had become appears still more clearly when we see how their votes for Vice-President were scattered.

Massachusetts voted solidly for John Eager Howard of Maryland, Delaware did the same for Robert G. Harper of Maryland, while Connecticut gave five votes to James Ross of Pennsylvania and four to John Marshall of Virginia. These three states alone cast any electoral votes against the Republican candidates. The Republicans now, for the instant at any rate, a national party, remained masters of the field and until circumstances should develop new party issues their supremacy was assured.

Strangely enough sound the testimonies to the unifying influence of the war given by men who belonged to the same party that Jefferson had once led. And we know of no better way to show this effect of the war than by a few selections from the political correspondence of the leading men of the period.

Almost with a voice of prophecy Gallatin had written to Nicholson, July 17th, 1807, in regard to the war which was even then looked forward to: "In fact the greatest mischiefs which I apprehend from the war are the necessary increase of executive power and influence . . . and the introduction of permanent military and naval establishments,"[1] both of which we know to be the concomitants of a perfect nation.

September 6th, 1815, Gallatin writes to Jefferson, then in retirement at Monticello: "The war has been useful. The character of America stands now as high as ever on the European continent and higher than it ever did in Great Britain. I may say that we are favorites everywhere except at courts, and even there we are personally respected and considered as the nation designed to check the naval despotism of England."[2]

Again he writes to Jefferson, under the date of November 27th, 1815: "The war has been successfully and honorably terminated; a debt of no more than eighty millions incurred, Louisiana paid for, and an incipient navy created; our popu-

[1] Henry Adams, The Writings of Albert Gallatin, I. 339.
[2] Adams, Writings of Albert Gallatin, I. 651, 652.

lation increased in the same and our resources in a much greater proportion; our revenue greater than ever."[1]

Gallatin says to Matthew Lyon,[2] May 7th, 1816: "The war has been productive of evil and good, but I think the good preponderates. Independent of the loss of lives and of the losses in property by individuals, the war has laid the foundation of permanent taxes and military establishments which the Republicans had deemed unfavorable to the happiness and free institutions of the country. But under our former system we were becoming too selfish, too much attached exclusively to the acquisition of wealth, above all, too much confined in our political feelings to local and State objects. The war has renewed and reinstated the national feelings and character which the Revolution had given and which were daily lessened. The people have now more general objects of attachment with which their pride and political opinions are connected. They are more Americans; they feel and act more as a nation, and I hope that the permanency of the Union is thereby better secured."[3]

And twenty years later, when the smoke of the old battle had cleared away and another conflict, this time one of principles, was waging, Gallatin writes to Edward Everett, January, 1835: "I do insist on the undeniable fact that the national character has been entirely redeemed by the late war, and that at this time no country is held by foreign nations and governments in higher respect and consideration than the United States."[4]

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[1] Adams, Writings of Albert Gallatin, I. 667.

[2] Matthew Lyon represented a Vermont district in the House of Representatives from 1797 to 1801, and a Kentucky district from 1803 to 1811. For some of the incidents of his sensational political career, see Hildreth, V. 80, 187-191, 247-250, 295; VI. 238, 239; and also McMaster, A History of the People of the United States from the Revolution to the Civil War. New York, D. Appleton & Company, 1885. Vol. II. pp. 327-329, 356, 363-367, 399-402, 430, 532.

[3] Adams, Writings of Albert Gallatin, I. 700.

[4] Adams, Writings of Albert Gallatin, II. 500.

Jefferson writes to Gallatin, May 18th, 1816, in reference to the lack of political dissension in Virginia, and says: "This spontaneous and universal concurrence of sentiment has not been artificially produced. I consider this as presenting an element of character in our people which must constitute the basis of every estimate of the solidity and duration of our government."[1] Strange words these to come from the pen which drew up the Kentucky resolutions!

Crawford, in a letter to Gallatin, bearing the date of October 27th, 1817, writes: "The President's tour through the East has produced something like a political jubilee. They were in the land of steady habits, at least for the time, 'all Federalists, all Republicans.' A general absolution of political sins seems to have been mutually agreed upon."[2]

The war had ruined the particularists; it had made all nationalists, if we may use the word. The bonds of the early days of the revolution were forged anew and the nation's heart beat as one. Patriotism and national pride had conquered sectionalism and personal selfishness. The era of good feeling had dawned.[3] But it was the ominous calm that precedes the tempest.

With this position gained and all foreign entanglements removed by Waterloo and its consequences, the United States was thrown back on itself and the fire of slavery which had been smoldering in its bosom now found an opportunity to burst forth afresh and kindle the conflagration from which

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[1] Adams, Writings of Albert Gallatin, I. 705.

[2] Adams, Writings of Albert Gallatin, II. 55; Hildreth, VI. 623.

[3] Owing to the fact that this essay was written before the excellent History of the United States of America under the Constitution, by James Schouler, Washington, 1886, was published, no references to that work are made. Volumes I. and II. of Mr. Schouler's History, embracing the period discussed in this monograph, are particularly important for the proper understanding of the influences at work in it. In Vol. II. 452–454, it is gratifying to find the author taking the view of the effect of the War of 1812 that is developed in this essay.

the camp-fires of the great civil war forty years later were to be lighted.

But because the good effect of the second war with Great Britain was soon swept away by the slavery dispute, we must not overlook the fact that such an effect existed. The country entered the war distracted, indifferent, and particularistic; it emerged from it united, enthusiastic, and national. But the ebb was to be greater than the flow, and half a century was to elapse before the conditions of national unity which existed in the years immediately following the war of 1812 were again to be plainly observed in our political history.